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Via regular mail and email: regcomments@fincen.treas.gov

Brian L. Ferrell, Esq.
Chief Counsel
Financial Crimes Enforcement Network ("FinCEN")
P. O. Box 39
Vienna, VA 22183

Re: Banco Delta Asia S.A.R.L. (RIN 1506-A83)

Dear Mr. Ferrell:

Please find attached a letter from Joseph T. McLaughlin, my colleague at Heller Ehrman LLP, that sets forth new information in connection with the Banco Delta Asia matter. Please do not hesitate to contact me if you have any questions or I can otherwise be of assistance.

Sincerely,

James D. Barnette/SLP

James D. Barnette

Enclosures

cc: Joseph T. McLaughlin, Esq.

HellerEhrman_{LLP}

April 25, 2006

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Brian L. Ferrell, Esq.
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Financial Crimes Enforcement Network ("FinCEN")
P.O. Box 39
Vienna, VA 22183

Re: Banco Delta Asia S.A.R.L. (RIN 1506-A83)

Dear Mr. Ferrell:

As promised in prior correspondence and meetings, we write to update FinCEN on recent developments relevant to FinCEN's proposed rulemaking (the "Proposed Rulemaking") regarding Banco Delta Asia S.A.R.L. (the "Bank"). As set forth below, the Legislative Assembly of the Special Administrative Region of Macau recently enacted new anti-money laundering (AML) and combating the financing of terrorism (CFT) legislation.

First, the Macau Legislature has passed new AML legislation titled "Prevention and Repression of Money Laundering." Macau SAR Law No. 2/2006. The law was published in the Macau Government's official gazette on April 3, 2006 and became effective on April 4, 2006. As a result, the law is now in effect. I attach as Exhibit 1 a copy of an English translation of that legislation. I also attach as Exhibit 2 a redline that reflects the changes from the English translation of the draft legislation that we attached to our letter of December 2, 2005.

The principal changes to the AML legislation from the earlier draft are as follows:

- A provision permitting the reduction of criminal penalties when victim restitution has been made was deleted. (*See* Ex. 2, deleted Art. 5.)
- The final law makes clear that the various criminal penalties that can be imposed against an organizational entity may be jointly imposed. (*See* Ex. 2, Art. 5(9).)
- The final law deletes limitations previously imposed upon the executive agency charged with collecting and analyzing information required to be produced by entities subject to the law. In particular, the prior draft of the bill prevented the executive agency from instituting a criminal investigation; the final legislation

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contains no such restriction. The final law also makes clear that this executive agency may provide information to entities other than the Macau Government pursuant to regional and international treaties. (*See* Ex. 2, Art. 8.)

In sum, Macau's new AML legislation is even stronger than the draft we attached to our prior correspondence.

Second, on March 30, 2006, the Macau Legislature passed CFT legislation titled "Prevention and Repression of the Crime of Terrorism." Macau SAR Law No. 3/2006. The law was published in the Macau Government's official gazette on April 10, 2006 and became effective on April 11, 2006. I attach as Exhibit 3 an English translation of the CFT law. I also attach as Exhibit 4 a redline that reflects the changes from the English translation of the draft legislation that we attached to our letter of December 2, 2005. The changes over the earlier draft are not substantive.

Third, we understand that the administrative branch of the Macau government is taking steps to implement and enforce the new AML and CFT laws. The Macau Judicial Police, the Macau Monetary Authority, and the Macau Finance Department will each promulgate rules to implement the AML and CFT laws. In addition, representatives of each of these three entities have formed a Coordination Unit to establish an intra-governmental Financial Intelligence Unit, which will be responsible for the enforcement of the AML and CFT legislation.

Finally, the Chief Executive of Macau has extended the term of the Administrative Committee—which currently manages all aspects of the Bank's business—to the end of September 2006. Executive Decree No. 80/2006. As set forth in our prior correspondence, the Chief Executive constituted the Administrative Committee on September 29, 2005 by appointing three officials who had no prior relationship with the Bank. The composition and mandate of the Administrative Committee remain the same. The term of the Administrative Committee may be extended for six months at a time for a maximum period of two years.

As is evident from the adoption of the legislation and the steps in process to implement it, much has been accomplished in the time since FinCEN published its Proposed Rulemaking. In particular, Macau has addressed FinCEN's concern that Macau's proposed AML legislation "has not been adopted". 70 *Fed. Reg.* 55,214, 55,215 (Sept. 20, 2005). Nevertheless, the Bank remains disadvantaged in the marketplace due to the pendency of the Proposed Rulemaking while the government of Macau, which has demonstrated its dedication to the anti-money laundering effort, continues to bear the economic burden associated with FinCEN's action. Moreover, the Bank has committed not to conduct business in the future with North Korean entities and continues the program previously outlined to you to enhance

its internal controls and cooperate fully with the investigation conducted by the Government of Macau.

Based on this considerable progress, and the advancements documented in our previous submissions, we reiterate our request that FinCEN revoke its Proposed Rulemaking against the Bank. We also request that FinCEN publish a copy of this letter and its enclosures on its website.

Please do not hesitate to contact me if I can provide any additional information. Thank you for your consideration of this request.

Very truly yours,

A handwritten signature in cursive script that reads "Joseph T. McLaughlin / n.c.".

Joseph T. McLaughlin

Attachments

Exhibit 1

Macau Special Administrative Region

Law No. /2000

Prevention and Repression of Money Laundering

The Legislative Assembly enacted this Law pursuant to Article 71(1) of the Basic Law of
the Macau SAR

CHAPTER I

GENERAL PROVISIONS

Article 1

Objective

This Law stipulates measures for the prevention and repression of money laundering.

Article 2

Complementary Law

The provisions of « Criminal Code» shall complement and apply to the crimes defined
in this Law.

CHAPTER 2

CRIMINAL PROVISIONS

Articles 3

Money Laundering

1. For the purpose of this Law, profit is defined as illicit proceeds derived from an unlawful event which constitutes an indictable offence¹ and entails a maximum penalty of over 3 years in prison and other proceeds obtained from such illicit proceeds, notwithstanding that the act is committed by collusion.
2. For the purpose of concealing the unlawful source of proceeds or to assist the culprit and his accomplices in avoiding criminal proceedings or criminal penalty in relation to proceeds generated by crimes, anyone who transfers or converts such proceeds, or assists or facilitates such activities shall be imprisoned for 2 to 8 years.
3. To conceal or cover up the real nature, source, origin, disposal, transfer or the identity of the owner of the proceeds shall attract the same penalty as stipulated in the above Paragraph.
4. Notwithstanding that an unlawful event which generates the relevant proceeds and constitutes an indictable offence has been committed outside the jurisdiction of the MSAR, if such act constitutes a crime in the country or region which has jurisdiction in respect of the event, the penalties stipulated in Paragraph 2 and Paragraph 3 shall also apply.
5. If the criminal proceedings relating to the unlawful event which generates proceeds and constitutes an indictable offence cannot be instigated without complaints, and there is no timely complaint, then the above mentioned events will not be subject to any penalty, except with regard to proceeds which are generated from unlawful events which constitute indictable offences as stipulated in Article 166 and Article 167 of the « Criminal Code» .
6. The penalties imposed pursuant to the above provisions shall not exceed the maximum penalties which the unlawful events which generate the related proceeds and constitute an indictable offence attract.
7. To suit the requirements stipulated in the above Paragraph, if the related proceed are derived from two or more unlawful events which constitute indictable offences, the maximum penalty referred to in the above Paragraph shall be the highest penalty which each of such unlawful events that constitute indictable offences attracts.

¹ Literally, the term in Chinese should be translated as "conform to indictment".

Article 4
Accentuated Penalty

The maximum and minimum penalties stipulated in the above Article shall be increased by 50%, but not to exceed the limits stipulated in Paragraph 6 and Paragraph 7 above, if one of the following events occurs:

1. Money laundering crimes were committed by criminal organizations or triads, or by persons who participate in or support the criminal organizations or triads;
2. The unlawful events which generate proceeds and conform to indictment are terrorism, illicit traffic in narcotic drugs and psychotropic substances, international slave trade or banned weapons and explosives;
3. The culprit is a repeat offender in money laundering.

Article 5
Criminal Liability of a Legal Entity

1. A legal entity, even if established not according to regulations, and entity without a legal personality, shall be liable to a crime relating to money laundering, if one of the following events occurs:
 - a) its organ or its representative commits a crime in money laundering in its name and for its benefit;
 - b) a person who is subject to the order of the organ or representative referred to in (a) above commits a crime in money laundering in the name of that entity and for its benefit, and that organ or representative purposely violates the obligation of supervision or control to enable the happening of the crime.
2. The liability of the entity stipulated in the above Paragraph shall not exclude the personal liability of the individuals involved.
3. The principal penalty imposed on the entity for the crime stipulated in Paragraph 1 shall be:
 - a) Fines;

- b) Disbandment by court order.
- 4. Fines are payable on a daily basis with the minimum period being 100 days and the maximum period being 1000 days.
- 5. Daily fine shall be MOP100.00 to MOP20,000.00.
- 6. If a fine is imposed on a community which is not endowed with a legal personality, the fine shall be paid out of the common assets of the community; in the event that there are no common assets or insufficient common asset, it shall be paid out from the property of each member on a joint basis.
- 7. It is only when the founder of the entity has the sole or principal intention of using the entity to commit the crime mentioned in Paragraph 1, or only when the repetition of the crime indicates that its members or administrative personnel have the sole or principal intention of using the entity to commit the crime, the disbandment penalty shall apply.
- 8. The following additional penalties may be imposed on an entity referred to in Paragraph 1:
 - a) To be banned from engaging in certain business for 1 – 10 years;
 - b) To be deprived of the right to receive subsidies or grants from the public sector or entities;
 - c) To shut down the premises for a period of 1 month to 1 year;
 - d) To permanently shut down the premises;
 - e) To be subject to the order of the court;
 - f) To publicize the guilty verdict through the most popular Chinese and Portuguese newspaper in MSAR and also to publish the guilty verdict at the place of business where the public can clearly see, and the notice period shall not be less than 15 days; all the fees relating to the above shall be bore by the offender.
- 9. The additional penalty can be jointly imposed.
- 10. If employment relationships are terminated due to a court disbandment or the imposition of any additional penalties stipulated in Paragraph 8, the termination shall be construed as a dismissal by the employer without a good reason.

CHAPTER III

PREVENTIVE PROVISIONS

Article 6

Scope of the subject

The following entities shall fulfill the obligations stipulated in Article 7:

1. Entities regulated by the Monetary Authority of Macao, particularly Credit Institutions, Finance Companies, Offshore Financial Institutions, Insurance Companies, Money Changers and Cash Remittance Companies;
2. Entities subject to supervision of the Gaming Inspection and Co-ordinating Bureau, particularly entities who are involved in gambling businesses, lottery draws, book making and intermediaries in casinos;
3. Merchants who are involved in the trading of goods each of which is a precious article, particularly pawn shops and entities involved in transactions relating to precious metals, gems and luxury transportation vehicles;
4. Real estate intermediaries, or entities which purchase real properties for resale purposes;
5. In the course of engaging in their own occupations, lawyers, legal representatives, notaries, the Registrar, auditors, accountants and tax consultants who participate or assist in the following activities:
 - a) Buying and selling real properties;
 - b) Managing clients' cash, priced securities or other assets;
 - c) Managing bank accounts, savings accounts or securities accounts;
 - d) Raising funds for the establishment, operation or management of companies;
 - e) Establishing, managing or operating legal entities or entities without legal personality, or buying and selling commercial entities.
6. Entities which provide manpower services, when they are preparing or proceeding to conduct the following activities for their clients:
 - a) Establishing a legal entity by acting as an attorney;

- b) Acting as administrator, secretary, shareholder of a company, or corresponding positions of other legal entities;
- c) Providing company premises, commercial addresses, facilities and/or administrative or postal addresses to a company, other legal entities or entities without legal personality;
- d) Acting as an administrator of a trust fund or organization;
- e) Acting as shareholder on the basis that profits or losses belong to other persons;
- f) Carrying out necessary steps to cause a third party to act in a manner according to (b), (d) or (e) above.

Article 7 Obligation

1. The entities stipulated in the above Article shall perform the following obligations:
 - a) Identify the identities of contracting parties, clients or punters, if, with respect to the relevant business, there are indications that a person may commit a money laundering crime or the relevant activities involve a large monetary amount;
 - b) In the event that there is situation indicating activities mentioned in Item (a) above, identify all activities in process;
 - c) If the information necessary to discharge the obligation stipulated in Item (a) and Item (b) above is denied, refuse to perform the activities as requested;
 - d) Retain the related documents for a reasonable period in connection with obligations stipulated in Item (a) and Item (b) above;
 - e) In the event that there are indications of money laundering, the activities should be reported;
 - f) Co-operate with entities which are vested with the authority to prevent and repress money laundering.
2. In performing the activities stipulated in Paragraph 5 of Article 6, lawyers and legal representatives need not provide, in performing obligations as stipulated in Item (e)

and Item (f) above, the following information: information obtained in appraising client's legal status and providing legal advice, information obtained in defending or representing a client in a litigation, and information involving a particular legal proceeding, including information relating to a proposal to initiate or avoid certain legal proceedings, regardless of whether such information has been obtained before, during or after litigation.

3. To perform obligations stipulated in Paragraph 1, Item (e) and Item (f), the information so provided in good faith shall not constitute breach of secrecy, the provider of such information shall not be liable in any respect.
4. Not to divulge to contracting parties, clients, punters or any third persons any fact acquired from performing duties, and discharging obligations stipulated in Paragraph 1, Item (e) and Item (f).
5. Information obtained from persons who perform obligations stipulated in Paragraph 1 can only be used in criminal litigation proceedings, or prevention and repression of crimes relating to money laundering.

CHAPTER IV

FINAL AND TRANSITIONAL PROVISIONS

Article 8

Detailed Provisions

1. The Administrative Regulation shall stipulate the conditions precedent and content of the obligations contained in Article 7 and the supervision system relating to the performance of such obligations and punitive measures for not performing such obligations.
2. The authority to collect, analyse and provide the information obtained from persons performing the obligations set out in Article 7, Paragraph 1 should be vested with a newly established entity or an established entity.
3. The entities referred to in the above Paragraph, in discharging its functions conferred by law, can do the following:

- a) request any public or private entities to provide information;
- b) in implementing regional agreements or any international treaties, provide information to entities other than MSAR.

Article 9

Provisions Repealed

The following provisions shall be repealed:

- a) Provisions of Article 10, Article 14 and Paragraph 3, Paragraph 4 and Paragraph 5 of Article 18 of Decree-Law no. 6/97/M, of 30 July;
- b) Decree-Law no. 24/98/M, of 1 June, without prejudice to the application of the provisions of the next Article.

Article 10

Transitional Arrangement

- 1. Before the Administrative Regulation stipulated in Article 8, Paragraph 1 becomes effective, Decree-Law no. 24/98/M, of 1 June shall continue to apply.
- 2. After the Administrative Regulation stipulated in Article 9, Paragraph 1 has become effective, the entities referred to in Article 7 shall start performing the obligations stipulated in Article 7.

Article 11

Amendment to Decree-Law no. 6/97/M, of 30 July

- 1. Decree-law no. 6/97/M, of 30 July, Article 1, Paragraph 1, Item (u) shall be amended to read:
(u) Money Laundering.
- 2. In any application of Article 10 of Decree-Law no. 6/97/M, of 30 July, it shall be construed as applying provisions of Article 3 of this Decree-Law provided that the situation of accentuated penalty referred to in Article 4 exists.

Article 13
Commencement

This Decree-Law shall come into force on the next day of its promulgation.

Exhibit 2

Draft Legislation Macau Special Administrative Region

Law No. /2000

Prevention and Repression of Money Laundering

The Legislative Assembly enacted this Law pursuant to Article 71(1) of the Basic Law of
the Macau SAR

CHAPTER I

GENERAL PROVISIONS

Article 1

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This Law stipulates measures for the prevention and repression of money laundering.

Article 2

Complementary Law

The provisions of « Criminal Code» shall complement and apply to the crimes defined in this Law.

CHAPTER 2

CRIMINAL PROVISIONS

Articles 3

Money Laundering

1. For the purpose of this Law, profit is defined as illicit ~~properties~~proceeds derived from ~~crimes which entail~~an unlawful event which constitutes an indictable offence¹ and entails a maximum penalty of over 3 years in prison. ~~It covers assets generated by and other proceeds obtained from~~ such illicit ~~properties~~proceeds, notwithstanding that the act is committed by ~~any means in a collusion~~.
2. ~~To conceal~~For the purpose of concealing the unlawful source of the ~~profit~~proceeds or to ~~help~~assist the culprit and his accomplices to ~~escape in~~avoiding criminal proceedings ~~or criminal penalty in relation to~~ proceeds generated by crimes, anyone who ~~transfer~~transfers or converts such ~~profit~~proceeds, or ~~assists~~ or facilitates such activities shall be imprisoned for 2 to 8 years.
3. To conceal or cover up the real nature, source, origin, disposal, transfer or the identity of the owner of the proceeds shall attract the same penalty as stipulated in the above Paragraph.
4. ~~If the~~Notwithstanding that an unlawful event which generates the relevant proceeds and constitutes an indictable offence has been committed outside the jurisdiction of the MSAR ~~but is also deemed unlawful under the legal system of the government~~ who, if such act constitutes a crime in the country or region which has jurisdiction in respect of the event, the penalties stipulated in Paragraph 2 and Paragraph 3 shall also apply.
5. ~~Legal~~If the criminal proceedings relating to profit generating ~~crimes which conform to indictment~~the unlawful event which generates proceeds and constitutes an indictable offence cannot be instigated without complaints. ~~If and~~ there is no timely complaint, then the above mentioned events will not be subject to any penalty. However, ~~if such profits, except with regard to~~ proceeds which are generated from unlawful events which ~~conform to indictment~~constitute indictable offences as stipulated in Article 166 and Article 167 of the « Criminal Code » ~~, they shall not be excluded.~~
6. The penalties ~~for~~imposed pursuant to the above provisions shall not exceed the maximum penalties ~~applied to crimes~~which the unlawful events which generate the

¹ Literally, the term in Chinese should be translated as "conform to indictment"

~~related profits and conform to the indictment~~proceeds and constitute an indictable offence attract.

7. To suit the requirements stipulated in the above Paragraph, if the related ~~profit~~is proceed are derived from two or more unlawful events ~~conforming to the indictment~~which constitute indictable offences, the maximum penalty ~~applied~~referred to in the above Paragraph shall be the highest of ~~penalties applied to all these crimes which conform to indictment~~penalty which each of such unlawful events that constitute indictable offences attracts.

Article 4

Accentuated Penalty

~~Penalties shall increase~~The maximum and minimum penalties stipulated in the above Article shall be increased by 50%, but not to exceed ~~what are the limits~~stipulated in Paragraph 6 and Paragraph 7 of Article 3 above, if one of the following events ~~emerges~~occurs:

1. Money laundering ~~crime has been~~crimes were committed by criminal ~~organization~~organizations or ~~triad~~triads, or by ~~members or supporters of~~persons who participate in or support the criminal ~~organization~~organizations or ~~triad~~triads;
2. The unlawful events which generate ~~profit~~proceeds and conform to indictment are ~~related to terrorism, illicit traffic in narcotic drugs and psychotropic substances, international slave trade or banned weapons and explosives;~~
3. The culprit is a ~~repeated~~repeat offender in money laundering.

Article 5

Relieved Penalty

1. ~~If the accused, before the start of the first trial, has redressed all the damages done to the victim in respect of the crime which generates the related profit and conforms to the indictment, and it has not done any harm to a third party, penalty can be reduced.~~
2. ~~If the damage has been partly redressed, special deduction in penalty can apply.~~

Article 6

Criminal Liability of a Legal Entity

1. A legal entity, even if established not according to regulations, and ~~community~~entity without a legal personality, shall be liable to a crime relating to money laundering, if one of the following events ~~emerges~~occurs:
 - a) ~~The organization~~its organ or its representative ~~has committed~~commits a crime in money laundering in its name and for a ~~profit~~its benefit;
 - b) ~~One a person~~ who is subject to the order of the ~~organization~~organ or representative as ~~stipulated~~referred to in (a) above ~~and for their benefit, has committed~~commits a crime in money laundering, ~~and the organization in the name of that entity and for its benefit, and that organ or representative purposely violates the obligation to supervise~~of supervision or control to enable the ~~happening of the crime to happen~~.
2. The liability of the entity stipulated in the ~~last~~above Paragraph shall not exclude the personal liability of the individuals involved.
3. The principal penalty ~~applicable to~~imposed on the entity for the crime stipulated in Paragraph 1 shall be:
 - a) Fines;
 - b) Disbandment by court order.
4. Fines are payable on a daily basis, ~~with~~ the minimum ~~is~~period being 100 days, ~~and~~ the maximum ~~is~~period being 1000 days.
5. Daily fine shall be ~~fixed at MOP100~~100.00 to MOP~~20,000~~20,000.00.
6. If a fine is imposed on a community which is not endowed with a legal personality, ~~the fine~~ shall be paid out of the common assets of the community; ~~in the event that there are no common assets or insufficient common asset, members~~ it shall be ~~liable for the fine according to the responsibility of each individual~~paid out from the property of each member on a joint basis.
7. It is only when the founder of the entity has the sole or principal intention of ~~committing~~using the entity to commit the crime as mentioned in Paragraph 1 by

~~making use of, or only when the repetition of the entity, or the crime has been repeated~~
~~to indicate~~indicates that its members or administrative personnel have the sole or
~~major~~principal intention ~~to make use of~~ using the entity to commit the crime, the
disbandment penalty shall apply.

8. The following additional penalties ~~can apply to~~may be imposed on an entity referred
to in Paragraph 1:

- a) ~~To provide bail for good behaviour according to provisions of Decree Law no. 6/96/M, of 15 July;~~
- b) ~~To be banned from engaging in certain business or profession for 1 – 10 years;~~
- b) ~~e)~~ To be deprived of the right to receive subsidies or grants from the public sector or other entities;
- c) ~~d)~~ To shut down the premises for a period of 1 month to 1 year according to provisions of Decree Law no. 6/96/M, of 15 July;
- d) ~~e)~~ To permanently shut down the premises for ever;
- e) To be subject to the order of the court;
- f) ~~To publicize the verdict~~guilty verdict through the most popular Chinese and Portuguese newspaper in MSAR and also to publish the guilty verdict at the place of business where the public can clearly see, and the notice period shall not be less than 15 days; all the fees relating to the above shall be bore by the offender.

9. The additional penalty can be jointly imposed.

10. 9- If employment ~~contracts~~relationships are terminated due to a court disbandment,
or the imposition of any additional penalties stipulated in Paragraph 8, the
termination shall be construed as a dismissal by the employer without a good reason.

CHAPTER III PREVENTIVE PROVISIONS

Article 76 Scope of the subject

The following entities shall fulfill the obligations stipulated in Article 8-7:

1. Entities regulated by the Monetary Authority of Macao, particularly Credit Institutions, Finance Companies, Offshore Financial Institutions, Insurance Companies, Money Changers and Cash Remittance Companies;
2. Entities subject to supervision of the Gaming Inspection and Co-ordinating Bureau, particularly entities who are involved in gambling ~~business~~businesses, lottery ~~draw~~draws, book making and intermediaries in ~~the~~ casinos;
3. Merchants who are involved in the trading of goods each of which is a precious article~~article~~, particularly pawn shops and entities involved in transactions relating to precious metals, gems and luxury transportation vehicles;
4. Real ~~properties~~estate intermediaries, or entities ~~who~~which purchase real properties for ~~resell purposes~~resale purposes;
5. ~~Lawyer~~In the course of engaging in their own occupations, lawyers, legal representatives, notaries, the Registrar, auditors, accountants and tax consultants who participate or assist in the following activities:
 - a) Buying and selling real properties;
 - b) Managing, ~~on behalf of clients,~~ cash, priced securities or other assets;
 - c) Managing bank accounts, savings accounts or securities accounts;
 - d) Raising funds for the establishment, operation or management of companies;
 - e) Establishing, managing or operating legal entities or entities without legal personality, or buying and selling commercial entities.
6. Entities which provide manpower services, when they are preparing or proceeding to conduct the following activities for their clients:
 - a) Establishing a legal entity by acting as an attorney;
 - b) Acting as administrator, secretary, shareholder of a company, or corresponding positions of other legal entities;
 - c) Providing company premises, commercial ~~address~~addresses, facilities and/or administrative or postal ~~address for~~addresses to a company ~~or~~, other legal entities or entities without legal personality;
 - d) Acting as an administrator ~~for~~of a trust fund or ~~trust~~ organization;

- e) Acting as shareholder ~~without incurring profit or loss which~~ on the basis that profits or losses belong to other persons;
- f) Carrying out necessary steps to cause a third party to act in a manner according to (b), (d) or (e) above.

Article 87

Obligation

1. The entities stipulated in the above Article 7 ~~should~~ shall perform the following obligations:
 - a) ~~Should know~~ Identify the identities of the contracting parties, clients or punters, ~~discern if, with respect to the relevant business, there are indications that a person may commit a money laundering crime or large amount of cash are involved in the relevant activities involve a large monetary amount;~~
 - b) In the event that there is situation indicating activities mentioned in Item (a) above, identify all activities in process;
 - c) ~~If denied of the vital~~ information necessary to discharge the obligation stipulated in Item (a) and Item (b) above is denied, ~~should~~ refuse to perform the activities as requested;
 - d) Retain the related documents for a reasonable period in connection with obligations stipulated in Item (a) and Item (b) above;
 - e) In the event that there are indications of money laundering, the activities should be reported;
 - f) ~~Should co~~ Co-operate with entities which are vested with the authority to prevent and repress money laundering.
2. ~~When~~ In performing the activities stipulated in ~~Article 7, Paragraph 5, 5 of Article 6,~~ lawyers and legal ~~representations~~ representatives need not provide, in performing obligations as stipulated in Item (e) and Item (f) above, the following information: information obtained in appraising client's legal status and providing legal ~~advices~~ advice, information obtained in defending or representing a client in a litigation, and information involving a particular legal proceeding, including

information relating to a proposal to ~~proceed~~initiate or avoid certain legal proceedings, regardless of whether such information has been obtained before, during or after litigation.

3. To perform obligations stipulated in Paragraph 1, Item (e) and Item (f), the information so provided in good ~~will~~faith shall not constitute breach of secrecy, the provider of such information shall not be liable in any respect.
4. Not to divulge to contracting parties, clients, punters or any third persons any fact acquired from performing duties, and discharging obligations stipulated in Paragraph 1, Item (e) and Item (f).
5. Information obtained from ~~performing persons who perform~~ obligations stipulated in Paragraph 1 can only be used in criminal litigation proceedings, or prevention and repression of crimes relating to money laundering.

CHAPTER IV

FINAL AND TRANSITIONAL PROVISIONS

Article 98

Detailed Provisions

1. The Administrative Regulation shall stipulate the conditions precedent and content of the obligations contained in Article 87 and the supervision system relating to the performance of such obligations and punitive measures for not performing such obligations.
2. The authority to collect, analyse and provide the information obtained ~~in accordance with the provisions of Article 8,~~from persons performing the obligations set out in Article 7, Paragraph 1 should be vested with a newly established entity or an established entity, ~~and that entity should comply with the following requirements:~~
3. The entities referred to in the above Paragraph, in discharging its functions conferred by law, can do the following:
 - a) ~~Establish and maintain a data base to keep the information collected;~~request any public or private entities to provide information;

- ~~b) — Should not instigate any criminal investigation;~~
 - ~~c) — Cross analyse the information collected and report to the Public Prosecution Office suspected crimes relating to money laundering;~~
 - ~~d) — Provide information to entities who are vested with the authorities to prevent and repress money laundering upon receipt of their requests supported by valid and sufficient reasons;~~
 - ~~b) e) Fulfillin implementing regional agreements or any instruments relating to international law treaties, provide information to entities outside MSAR in accordance with the requirements stated in Item (d) above;~~
 - ~~f) — Observe secrecy obligation.~~
3. ~~The entities mentioned in Paragraph 2 above, in discharging its functions conferred by law, can request any public or private entities to provide information other than MSAR.~~

Article ~~10~~9

Provisions Repealed

The following provisions shall be repealed:

- a) Provisions of Article 10, Article ~~14~~14 and Paragraph 3, Paragraph 4 and Paragraph 5 of Article 18 of Decree-Law no. 6/97/M, of 30 July;
- b) Decree-Law no. 24/98/M, of 1 June, without prejudice to the application of the provisions of the next Article.

Article ~~11~~10

Transitional Arrangement

- 1. Before the Administrative Regulation stipulated in Article ~~9~~8, Paragraph 1 becomes effective, Decree-Law no. 24/98/M, of 1 June shall continue to apply.
- 2. After the Administrative Regulation stipulated in Article 9, Paragraph 1 has become effective, the entities stipulated referred to in Article 7 shall start performing the obligations stipulated in Article ~~8~~7.

Article ~~12~~11

Amendment to Decree-Law no. 6/97/M, of 30 July

1. Decree-law no. 6/97/M, of 30 July, Article 1, Paragraph 1, Item (u) shall be amended to read:
(u) Money Laundering.
2. ~~To apply provisions~~In any application of Article 10 of Decree-Law no. 6/97/M, of 30 July, ~~Article 10~~it shall be construed as applying provisions of Article 3 of this Decree-Law provided that the situation of accentuated penalty ~~exists,~~
~~according~~referred to in Article 4.4 exists.

Article 13

Commencement

This Decree-Law shall come into force on the next day of its promulgation.

Document comparison done by DeltaView on 29 March 2006 18:42:50

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Exhibit 3

MACAU SPECIAL ADMINISTRATIVE REGION

Decree - Law No. /2006

Prevention and Repression of the Crime of Terrorism

The Legislative Assembly enacted this Law pursuant to Article 71(1) of the Basic Law of the Macau SAR.

CHAPTER I

GENERAL PROVISIONS

Article 1

Objective

The objective of the Decree-Law is to prevent and repress the crime of terrorism.

Article 2

Complimentary Law

The provisions of the « Criminal Code» shall complement and apply to crimes under this Law.

Article 3

Acts committed outside the MSAR

Subject to international conventions or any agreements relating to judicial aid, this Law shall apply to conduct which is committed outside the MSAR and falls into any of the following categories:

1. Acts which constitute a crime under Article 4 and paragraph 1 of Article 6 or conduct which constitutes a crime under Article 7 and Article 8, and the conduct that is directed against the MSAR;
2. Conduct which constitutes a crime under Article 5, Paragraph 2 of Article 6, Article 7 and Article 8, and the conduct that is directed against the following person(s):
 - (a) The People's Republic of China, provided that the offender is either a resident of the MSAR or found to be physically present in the MSAR;
 - (b) Foreign countries or international organizations, provided that the offender is found to be physically present in the MSAR and cannot be extradited to another region or country.

CHAPTER II

CRIMINAL PROVISIONS

Article 4

Terrorist Organizations

1. Terrorist bodies, organizations or groups, means an aggregation of 2 or more persons, acting in agreement and with the objective of, by committing the following deeds, using violence to stop, change, or overthrow the operation of the established political, economic and social systems of the MSAR, or coerce the public authority to commit an act, refrain from an act or allow an act by another person, or intimidate certain persons, groups of persons or ordinary residents, which by the nature of such deeds and the background when they are committed, such deeds can seriously damage the MSAR and intimidate residents:
 - (a) Crimes relating to the violation of life, person or personal freedom;
 - (b) Crimes relating to sabotage of transport and communication. Communication includes, in particular, information, telegraph, telephone, radio and television;
 - (c) Crimes that intentionally cause public hazards by causing fire, explosion, release of radio active materials, poisonous or suffocating gases, the creation

of floods, avalanche, collapse of constructions, contaminating water and food for human consumption, or by spreading diseases, plagues, harmful plants or animals;

- (d) Conduct which permanently or temporarily, wholly or partly damages, or causes to be permanently or temporarily, wholly or partly damaged, the transportation, communication tools or commuting routes, public utilities, or facilities which provide or satisfy the basic needs of residents;
 - (e) Research or development of nuclear weapons, biological or chemical weapons;
 - (f) Crimes relating to the use of nuclear energy, firearms, biological weapons, chemical weapons, explosive materials, explosive devices, any kind of incendiary tools, or use of parcels and mail carrying particularly dangerous devices or substances.
- 2. A person who promotes, establishes, joins a terrorist body, organization, or group, or renders support, especially through the provision of intelligence or materials, shall be liable to imprisonment for 10 to 20 years.
 - 3. A person who leads or commands a terrorist body, organization or group shall be liable to imprisonment for 12 to 20 years.
 - 4. If a terrorist body, organization or group, or those persons described in Paragraph 2 or Paragraph 3 above, are in possession of tools described in Item (f) of Paragraph 1, the minimum and maximum penalties shall be increased by one-third.
 - 5. A person who does any preparatory work for founding a terrorist body, organization or group shall be sentenced to 1 to 8 years in prison.
 - 6. In the event that the offender has deterred the continuing existence of such body, organization or group, or has made serious attempts, or has caused the authorities to prevent the implementation of the commission of the crime by informing the authorities of the existence of such body, organization or group, the penalties stipulated in each of the above Paragraphs can be reduced or annulled.

Article 5

Other Terrorist Organizations

1. An aggregation of 2 or more persons, if they are acting in concert, with the objective of, by committing the deeds described in Paragraph 1 of Article 4, (i) infringing the entirety or independence of a country, or (ii) using violence to stop, change or overthrow a country, region or the operation of international organizations, or (iii) coercing the relevant authorities to commit an act, refrain from an act or allow an act by another person, and/or (iv) intimidating certain persons, certain groups of persons or ordinary residents, which by the nature of such deeds or the background when they are committed, such deeds can seriously injure that country, region or international organization, or the residents who are so intimidated, the aggregation of persons shall be taken as the same as the bodies, organizations and groups described in Paragraph 1 of Article 4.
2. The provisions of Paragraph 2 to Paragraph 6 of Article 4 shall be applicable, mutatis mutandis.

Article 6

Terrorism

1. A deed committed with the intent described in Paragraph 1 of Article 4 shall attract a penalty of 3 to 12 years in prison; in the event that the relevant penalty of the crime committed is equal or higher than the aforementioned penalty, the relevant penalty shall apply, and the maximum and minimum penalties shall be increased by one-third.
2. The commission of an act described in Article 4 with the intent described in Article 5, the penalty described in the above Paragraph shall apply.
3. In the event that a person assists in the preparation of carrying out terrorist acts described in the above two Paragraphs which does not attract a heavier penalty under provisions of other laws, a penalty of 1 to 5 years in prison shall be imposed.

4. In the event that the offender has, out of his own initiative, abandoned his action, precluded or lowered to a certain extent the danger arising therefrom, or has prevented the consequence which the law intends to avoid, he may be subjected to a reduced penalty, or be exempted from any penalty.
5. In the event that the offender has provided practical assistance in the collection of evidence which is vital to the identification of other culprits or their arrest, the penalty may be reduced.

Article 7

Financing Terrorism

For those who intend to wholly or partly finance terrorist acts, in the event that such behaviour does not attract a heavier penalty according to each of the above provisions, a penalty of imprisonment for 1 to 8 years shall apply.

Article 8

Incitement of Terrorism

To incite publicly and directly other persons to undertake terrorist acts, or organize terrorist bodies, organizations or groups shall attract a penalty of 1 to 8 years in prison.

Article 9

Additional Penalty

1. For offenders who have been convicted of crimes under Article 4 to Article 8, after due deliberation of the seriousness of the offence, and the conclusion reflected by the fact and the character of the offenders, the following additional penalties may apply:

- (a) Abrogation of political rights¹ for 2 to 10 years;
 - (b) Prohibition against taking up public service for 2 to 10 years;
 - (c) For non-residents, expulsion or banning from entering the MSAR for 5 to 10 years;
 - (d) To be subject to court mandatory orders.
- 2. Additional penalties may be imposed concurrently.
 - 3. The period during which an offender is deprived of freedom as a result of the compulsory measures, penalty or public order sanction made in the proceedings, shall not be taken into consideration in calculating the periods stipulated in Item (a) and Item (b) of Paragraph 1 above.

Article 10

The Criminal Liability of a Legal Entity

- 1. A legal entity, even established not according to regulation, and an entity without a legal personality shall be criminally liable as stipulated in Article 4 to Article 8, if any of the following events occurs:
 - (a) The organization or its representative commits a crime under Article 4 to Article 8 in the name of and for the benefit of the entity;
 - (b) A person who is subject to the order of the organization or representative referred to in (a) above commits a crime under Article 4 to Article 8 in the name and for the benefit of the entity, and that organization or representative purposely violates the obligation of supervision or control to enable the happening of the crime.
- 2. The liability of the entity stipulated in the above Paragraph shall not exclude the personal liability of the offender involved.

¹ "Political rights" is not defined in the Prevention and Repression of the Crime of Terrorism Legislation. However, such "political rights" should include the rights set out in the International Covenant on Civil and Political Rights, which is preserved under Article 40 of the Basic Law of the Macau SAR.

3. The principal penalty that may be imposed on the entity for the crime described in Paragraph 1 shall be:
 - (a) a fine;
 - (b) disbandment by court order.
4. Fines are payable on a daily basis with the minimum period being 100 days and the maximum period being 1000 days.
5. The daily fine shall be MOP100 to MOP20,000.
6. If a fine is imposed on a community which is not endowed with a legal personality, the fine shall be paid out of the common assets of the community; in the event that there are no common assets or insufficient common assets, it shall be paid out of the property of each member on a joint basis.
7. It is only when the founder of the entity has the sole or principal intention of using the entity to commit the crime mentioned in Paragraph 1, or only when the repetition of the crime indicates that its members or administrative personnel have the sole or principal intention of using the entity to commit the crime, that disbandment shall apply.
8. The following additional penalties may be imposed on an entity referred to in Paragraph 1:
 - (a) To be banned from engaging in certain business for 1 to 10 years;
 - (b) To be deprived of the right to receive subsidies or grants from public sector or other entities;
 - (c) To shut down the premises for a period of 1 month to 1 year;
 - (d) To permanently shut down the premises;
 - (e) To be subject to a court order; and
 - (f) To publicize the guilty verdict through the most popular Chinese and Portuguese newspaper in MSAR and also to publish the guilty verdict at the place of business where the public can clearly see, and the notice period shall not be less than 15 days; all the fees relating to the above shall be borne by the offender.
9. The additional penalties may be imposed concurrently.

10. If employment relationships are terminated due to a disbandment or the imposition of any additional penalties stipulated in Paragraph 8, the termination shall be construed as a dismissal by the employer without reasonable cause.

CHAPTER III

PREVENTIVE PROVISIONS

Article 11

Other Decree-Laws Applicable

To prevent and repress crimes related to the financing of terrorism, Article 6, Article 7 and Article 8 of Decree-Law no.* /2006, shall mutatis mutandis apply.

CHAPTER IV

FINAL PROVISIONS

Article 12

Urgency

Proceedings carried out to enforce this Law, especially proceedings directed against funds for implementing terrorist crimes, are of a urgent nature.

Article 13

Amendments to « Criminal Litigation Code»

As permitted by Decree-Law no. 48/96/M, of 2 September, and amended by Decree-Law no. 63/99/M, of 25 October and Law no. 9/1999, Article 1 of « Criminal Litigation Code» shall be amended to read:

Article 1

(.....)

1.

2.

- (a) Criminal behaviour as stipulated in Article 4, Article 5 and Article 6 of
Decree-Law no. ____/2006* and Article 288 of « Criminal Code» ;

* Prevention and Repression of Terrorism

(b)

(c)

Article 14

Amendments to « Criminal Code»

As permitted by Decree-Law no. 58/95/M, of 14 November and Law no. 6/2001, Article
5 of « Criminal Code» shall be amended to read:

Article 5

(.....)

1.

- (a) Criminal deeds committed as stipulated in Article 252 to Article 261 and
Article 297 to Article 305;

(b)

(c)

I

II

III

(d)

2.

Article 15

Provisions Repealed

Article 289 and Article 290 of « Criminal Code» shall be repealed.

Article 16

Commencement

This Decree-Law shall come into force on the next day of its promulgation.

Exhibit 4

DRAFT LEGISLATION MACAU SPECIAL

ADMINISTRATIVE REGION

Decree - Law No. _____/2006

Prevention and Repression of the Crime of Terrorism

The Legislative Assembly enacted this Law pursuant to Article 71(1) of the Basic Law of
the Macau SAR.

CHAPTER I

GENERAL PROVISIONS

Article 1

Objective

The objective of the Decree-Law is to prevent and repress the crime of terrorism.

Article 2

Complimentary Law

The provisions of the « Criminal Code» shall complement and apply to crimes ~~defined in~~
the under this Law.

Article 3

~~Cases Committed beyond the Jurisdiction of~~ Acts committed outside the MSAR

~~This Law shall apply to cases which fall into the following definitions and committed
beyond the jurisdiction of the MSAR with the exception of those covered by~~ Subject to
international conventions or any agreements relating to judicial aid, this Law shall apply to

conduct which is committed outside the MSAR and falls into any of the following categories:

1. ~~Cases~~Acts which ~~invoke the definitions of crimes~~constitute a crime under Article 4 and paragraph 1 of Article 6, Paragraph 1, and/or cases which invoke the definitions of crimes ~~6~~ or conduct which constitutes a crime under Article 7 and Article 8, ~~while the cases are committed~~and the conduct that is directed against the MSAR;
2. ~~Cases~~Conduct which ~~invoke the definitions of crimes~~constitutes a crime under Article 5, Paragraph 2 of Article 6, Paragraph 2, Article 7 and Article 8, while the cases are committedagainst and the conduct that is directed against the following person(s):
 - (a) The People's Republic of China, but provided that the defendant ~~should~~offender is either be a resident of the MSAR or found to be physically present in the MSAR;
 - (b) Foreign countries or international organizations, but provided that the defendant ~~should be~~offender is found ~~physical~~to be physically present in the MSAR and cannot be extradited to another region or country.

CHAPTER II CRIMINAL PROVISIONS

Article 4

Terrorist Organizations

1. ~~Terrorist Community, organization~~bodies, organizations or ~~group~~groups, means an aggregation of ~~two~~2 or more persons, acting in agreement and ~~aiming at~~with the objective of, by committing the following deeds, ~~so as to, through~~using violence, to stop, change, or overthrow the operation of the established political, economic and social systems of the MSAR, or coerce the public authority to commit an act, refrain from an act or allow an act by another person, ~~and/or~~ intimidate ~~the~~certain persons,

~~group groups~~ of persons or ordinary residents, which by the nature of such deeds and the ~~backdrop~~background when they are committed, such deeds can seriously damage the MSAR and ~~the~~intimidate residents ~~so intimidated~~:

- (a) Crimes relating to the violation of life, ~~intact physique~~person or personal freedom;
 - (b) Crimes relating to sabotage of transport and communication ~~safety~~, ~~communication~~. Communication includes, in particular, information, telegraph, telephone, radio and television;
 - (c) ~~Crimes relating to the creation of flood, avalanche, collapse of constructions, contaminating water and food to be consumed by human beings, that~~ intentionally cause public hazards by causing fire, explosion, release of radio active materials, poisonous or suffocating gases, the creation of floods, avalanche, collapse of constructions, contaminating water and food for human consumption, or intentionally causing public hazards by spreading diseases, plagues, harmful plants ~~and~~or animals;
 - (d) ~~Deeds relating to sabotaging~~Conduct which permanently or temporarily, wholly or partly damages, or causes to be permanently or temporarily, wholly or partly damaged, the precision of transportation, communication tools or commuting routes, public utilities, or facilities which provide or satisfy the basic needs of residents, and/or cause such precision to wholly or partly stop functioning or deviate from its normal operation;
 - (e) Research or ~~develop~~development of nuclear weapons, biological or chemical weapons;
 - (f) Crimes relating to the use of nuclear energy, firearms, biological weapons, chemical weapons, explosive materials, explosive devices, any kind of incendiary tools, and/or use of parcels and ~~mails~~mail carrying ~~traps~~particularly dangerous devices or substances.
2. ~~Advocate, found, join~~A person who promotes, establishes, joins a terrorist body, organization, community or group, or renderrenders support, especially through the

provision of intelligence or materials, shall ~~attract~~be liable to imprisonment ~~of ten for~~
10 to twenty years.

3. ~~Lead~~A person who leads or ~~command~~commands a terrorist ~~community~~body, organization or group shall ~~attract~~be liable to imprisonment ~~of twelve for 12 to twenty~~
~~year~~20 years.
4. If ~~a~~ terrorist ~~community~~body, organization or group, and/or those ~~defined~~persons
described in Paragraph 2 or Paragraph 3 above, are in possession of the tools
~~defined~~described in Item (f) of Paragraph 1, ~~Item (f)~~, the minimum and maximum
penalties shall be increased by one-third.
5. ~~Any~~A person who does any preparatory ~~action with a view to work for~~ founding a
terrorist ~~community~~body, organization or group shall be sentenced to 1 to 8 years in
prison.
6. In the event that the ~~defendant~~offender has deterred the continuing existence of such
~~community~~body, organization or group, or has made serious attempts, or has caused
the ~~authority~~authorities to avoid the application of such crimes ~~prevent the~~
implementation of the commission of the crime by informing the ~~authority~~authorities
of the existence of such community body, organization or group, the penalties
stipulated in each of the above Paragraphs can be reduced or annulled.

Article 5

Other Terrorist Organizations

1. An aggregation of ~~two~~2 or more persons, ~~under their concerted actions~~if they are
acting in concert, with the objective of by committing the deeds as ~~defined in Article~~
~~4, described in~~ Paragraph 1 ~~in order to violate the inseparable nature, of Article 4, (i)~~
infringing the entirety or independence of a county ~~or region~~, or (ii) using violence to
stop, change or overthrow a country, region or the operation of international
~~organization from functioning, or coerce the authority concerned organizations, or~~
(iii) coercing the relevant authorities to commit an act, refrain from an act or allow an
act by another person, and/or ~~intimidate a group of persons or residents of a certain~~

region, while (iv) intimidating certain persons, certain groups of persons or ordinary residents, which by the nature of such deeds or the background when they are committed, such deeds can seriously damage/injure that country, region or international organization, and/or the residents who are so intimidated, it shall be construed to be the equivalent of the community, organization and group stipulated in Article 4, the aggregation of persons shall be taken as the same as the bodies, organizations and groups described in Paragraph 1 of Article 4.

2. Provisions The provisions of Article 4, Paragraph 2 to Paragraph 6 of Article 4 shall be applicable, mutatis mutandis.

Article 6 Terrorism

1. A deed committed underwith the intentions as stipulated in Article 4, intent described in Paragraph 1 of Article 4 shall attract a penalty of ~~three~~³ to ~~twelve~~¹² years in prison; in the event that the relevant penalty attached to ~~of~~ the crime committed is equal or higher than the aforementioned penalty, the relevant penalty shall apply, whileand the maximum and minimum penalties shall be increased by one-third.
2. ~~A deed committed as stipulated~~ The commission of an act described in Article 4 with an intention stipulatedthe intent described in Article 5, Paragraph 1 shall attract the penalty as stipulateddescribed in the above Paragraphshall apply.
3. In the event that ~~making~~ a person assists in the preparation to carry out terrorism crimes as stipulatedof carrying out terrorist acts described in the above two Paragraphs which does not attract a heavier penalty under provisions of other laws, a penalty of ~~one~~¹ to ~~five~~⁵ years in prison shall ~~apply~~ be imposed.
4. In the event that the ~~defendant~~ offender has, out of his own initiative, abandoned ~~such activities~~ his action, precluded or lowered to a certain extent the danger arising therefrom, or has prevented the consequence aswhich the law has intended, ~~shall be treated withintends to avoid, he may be subjected to a reduced penalty, or be exempted from any penalty.~~

5. In the event that the ~~defendant~~offender has provided practical assistance in the collection of evidence which is vital to the identification of ~~the other~~the other culprits or their arrest, ~~specially reduced~~the penalty should apply may be reduced.

Article 7

Financing Terrorism

For those who intend to wholly or partly finance ~~terrorism deeds by providing or raising funds~~terrorist acts, in the event that such behaviour does not attract a heavier penalty according to each of the above provisions of other laws, a penalty of imprisonment for ~~one~~1 to ~~eight~~8 years shall apply.

Article 8

Provocation~~Incitement~~ of Terrorism

To provoke terrorist behaviour publicly, or provide the setting up of terrorists community, organization or group incite publicly and directly other persons to undertake terrorist acts, or organize terrorist bodies, organizations or groups shall attract a penalty of ~~one~~1 to ~~eight~~8 years in prison.

Article 9

Additional Penalty

1. For ~~culprits~~offenders who have been convicted ~~for~~of crimes under Article 4 to Article 8, after due deliberation of the seriousness of the offence, and the conclusion reflected by the fact and the character of the ~~defendants~~offenders, the following additional penalties ~~can~~may apply:

- (a) ~~Repeal~~Abrogation of political rights¹ for ~~two~~2 to ~~ten year~~10 years;

¹ "Political rights" is not defined in the Prevention and Repression of the Crime of Terrorism Legislation. However, such "political rights" should include the rights set out in the

- (b) ~~Forbid to take~~ Prohibition against taking up public service for ~~two~~ 2 to ~~ten~~ 10 years;
 - (c) For non-residents, ~~to be expelled and banned~~ expulsion or banning from entering the MSAR for ~~two~~ 5 to ~~ten~~ 10 years;
 - (d) To be subject to court mandatory orders.
2. ~~Concurrent sentence can apply to additional penalty.~~ Additional penalties may be imposed concurrently.
 3. ~~Time~~ The period during which an offender is deprived due to loss of freedom arising from as a result of the compulsory measures applied to the defendant, penalty or public order sanction made in the proceedings, shall not be taken into consideration in ~~calculation~~ calculating the time periods stipulated in Paragraph 1, Item (a) and Item (b) of Paragraph 1 above.

Article 10

The Criminal Liability of a Legal Entity

1. A legal entity, even established not according to regulation, and ~~community~~ an entity without a legal personality shall be criminally liable to a crime stipulated as stipulated in Article 4 to Article 8, if ~~one~~ any of the following events ~~emerges~~ occurs:
 - (a) The organization or its representative ~~has committed~~ commits a crime under Article 4 to Article 8 in the name of and for the benefit of the entity;
 - (b) A person who is subject to the order of the organization or representative ~~or stipulated~~ referred to in (a) above and for their benefit, ~~has committed~~ commits a crime under Article 4 to Article 8, ~~and the~~ in the name and for the benefit of the entity, and that organization or representative purposely violates the obligation ~~to supervise~~ of supervision or control to enable ~~such~~ the happening of the crime to happen.

International Covenant on Civil and Political Rights, which is preserved under Article 40 of the Basic Law of the Macau SAR.

2. The liability of the entity stipulated in the ~~last~~above Paragraph shall not exclude the personal liability of the ~~individuals~~offender involved.
3. The principal penalty ~~applicable to that may be imposed on~~ the entity for the crime stipulated~~described~~ in Paragraph 1 shall be:
 - (a) ~~Fines;~~a fine;
 - (b) ~~Disbandment~~disbandment by court order.
4. Fines are payable on a daily basis, ~~with the minimum is~~period being 100 days, ~~and the maximum is~~period being 1000 days.
5. ~~Daily~~The daily fine shall ~~be fixed at~~ MOP100 to MOP20,000.
6. If ~~the~~a fine is imposed on a community which is not endowed with a legal personality, ~~if the fine~~ the fine shall be paid out of the common ~~asset~~assets of the community; in the event that there ~~is~~are no common ~~asset~~assets or insufficient common ~~asset~~assets, ~~members shall be liable for the fine according to the responsibility of each individual~~assets, it shall be paid out of the property of each member on a joint basis.
7. It is only when the founder of the entity has the sole or principal intention of ~~committing~~using the entity to commit the crime ~~as mentioned in Paragraph 1 by making use of~~ or only when the repetition of the entity, or the crime has been repeated to indicateindicates that its members or administrative personnel have the sole or ~~major~~principal intention ~~to make use of~~ using the entity to commit the crime, ~~than the~~that disbandment shall apply.
8. The following additional penalties ~~can apply to~~ may be imposed on an entity referred to in Paragraph 1:
 - (a) ~~To provided bail for good behaviour according to provisions of Decree Law no. 6/96/M, of 15 July;~~
 - (a) (b) ~~To be banned from engaging in certain business or profession for 1- to 10 years;~~
 - (b) (e) ~~To be deprived of~~ the right to receive subsidies or grants ~~form~~from public sector or other entities;
 - (c) (d) ~~To shut down the premises from one for a period of 1 month to one year according to provisions of Decree Law no. 6/96/M, of 15 July~~ 1 year;

- (d) ~~(e)-To permanently~~ shut down the premises ~~for ever~~;
- (e) To be subject to a court order; and
- (f) To publicize the ~~verdict~~guilty verdict through the most popular Chinese and Portuguese newspaper in MSAR and also to publish the guilty verdict at the place of business where the public can clearly see, and the notice period shall not be less than 15 days; all the fees relating to the above shall be borne by the offender.

9. The additional penalties may be imposed concurrently.

10. 9.-If employment ~~contracts~~relationships are terminated due to a disbandment by court order, or the imposition of any additional penalties stipulated in Paragraph 8, the termination shall be construed as a dismissal by the employer without valid reasonreasonable cause.

CHAPTER III PREVENTIVE PROVISIONS

Article 11

Other Decree-Laws Applicable

To prevent and repress crimes related to the financing of terrorism, Decree-Law no.* /2005, Article 7,6, Article 87 and Article 98 of Decree-Law no.* /2006, shall mutatis mutandis apply, ~~after necessary adjustments.* Prevention and Repression of Money Laundering.~~

CHAPTER IV FINAL PROVISIONS

Article 12

Urgency

Proceedings carried out to enforce this Law, especially proceedings directed against funds for implementing terrorist crimes, are of a urgent nature.

Article 13

Amendments to « Criminal Litigation Code»

As permitted by Decree-Law no. 48/96/M, of 2 September, and amended by Decree-Law no. 63/99/M, of 25 October and Law no. 9/1999, Article 1 of « Criminal Litigation Code » ~~has been~~shall be amended to read:

Article 1

(.....)

1.

2.

(a) Criminal behaviour as stipulated in Article 4, Article 5 and Article 6 of Decree-Law no. ____/20052006* and Article 288 of « Criminal Code» ;

* Prevention and Repression of Terrorism

(b)

(c)

Article 13~~13~~14

Amendments to « Criminal Code»

As permitted by Decree-Law no. 58/95/M, of 14 November and Law no. 6/2001, Article 5 of « Criminal Code» ~~has been~~shall be amended to read:

Article 5

(.....)

1.

- (a) Criminal deeds committed as stipulated in Article 252 to Article 261 and Article 297 to Article 305;
 - (b)
 - (c)
 - I
 - II
 - III
 - (d)
2.

Article 14~~15~~
Provisions Repealed

Article 289 and Article 290 of « Criminal Code» shall be repealed.

Article 16
Commencement

This Decree-Law shall come into force on the next day of its promulgation.

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